

### **REMARKS/ARGUMENTS**

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested.

Claims 2-6, 13 and 19-23 are now pending.

Claims 2-6, 12 and 19-20 were rejected under 35 USC 102(b) as allegedly being anticipated by Grancoin '642. Applicant respectfully traverses this rejection.

Independent claims 2, 13 and 19 each specifically provide that the magnetic flux reducing means (11) passes therethrough a part of the magnetic flux only in a predetermined range of turning angles.

Anticipation under Section 102 of the Patent Act requires that a prior art reference disclose every claim element of the claimed invention. See, e.g., Orthokinetics, Inc. v. Safety Travel Chairs, Inc., 806 F.2d 1565, 1574 (Fed. Cir. 1986). While other references may be used to interpret an allegedly anticipating reference, anticipation must be found in a single reference. See, e.g., Studiengesellschaft Kohle, G.m.b.H. v. Dart Indus., Inc., 726 F.2d 724, 726-27 (Fed. Cir. 1984). The absence of any element of the claim from the cited reference negates anticipation. See, e.g., Structural Rubber Prods. Co. v. Park Rubber Co., 749 F.2d 707, 715 (Fed. Cir. 1984). Anticipation is not shown even if the differences between the claims and the prior art reference are insubstantial and the missing elements could be supplied by the knowledge of one skilled in the art. See, e.g., Structural Rubber Prods., 749 F.2d at 716-17.

In contrast to the invention defined above, wherein, as noted, a part of the magnetic fluxes passes through the magnetic flux reducing means only in a predetermined range of turning angles, in Grancoin '642, as will be understood from Figures 2 and 3 thereof, stator 2 allows all the magnetic fluxes of a permanent magnet 1 to pass therethrough whatever the angle the permanent angle is. Thus, the stator 2

of Grancoin does not constitute a magnetic flux reducer through which a part of the magnetic fluxes pass, only when the relative turning angle is within a predetermined range of turning angles. Because stator 2 does not read on the magnetic flux reducer/magnetic flux reducing means recited in applicant's independent claims 2, 13 and 19, the invention thereof is not anticipated by Grancoin.

It is further respectfully noted that, with respect to new dependent claims 21-23, Grancoin '642 does not teach or suggest a magnetic flux passage means/yoke and a magnetic flux reducing means for providing two different magnetic paths. It is therefore respectfully submitted that not only are the independent claims distinguished from Grancoin, but the new dependent claims 21-23 are patentable thereover in their own right.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:



Michelle N. Lester

Reg. No. 32,331

MNL:slj  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100